

5867. Cabbage juice extract. (F.D.C. No. 42320. S. No. 26-776 P.)

QUANTITY: 355 100-tablet btl. at Sioux City, Iowa.

SHIPPED: 7-7-58, from Redlands, Calif., by Vita Fluor Corp.

LABEL IN PART: "Vita Fluor Cabbage Juice Extract * * * U-90 Manufactured by Vita Fluor Corporation * * * Redlands, California * * * Each tablet contains 400 Mg. of cabbage juice concentrate."

LIBELED: 11-20-58, N. Dist. Iowa: amended libel 4-24-59.

CHARGE: 502(f)(1)—when shipped, the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended, namely, in the treatment of stomach and duodenal ulcers, which were the conditions for which the article was offered in a circular entitled "New Treatment for Gastric-Peptic Stomach and Duodenal Ulcers" disseminated by and on behalf of its manufacturer.

DISPOSITION: 6-30-59. Consent—destruction.

5868. Vi-Arthra capsules. (F.D.C. No. 43160. S. No. 53-101 P.)

QUANTITY: 10 100-capsule btl. at Los Angeles, Calif.

SHIPPED: The betaine hydrochloride component of the article was shipped on an unknown date from New York, N.Y., by Polychemical Laboratories, Inc., to San Francisco, Calif., and from there to San Jose, Calif., where it was used in the manufacture of the article. On 4-15-59, following its manufacture, the article was shipped to Los Angeles, Calif.

LABEL IN PART: (Btl.) "100 Capsules Vi-Arthra A Special Dietary Supplement * * * Each Capsule Contains: Betaine 100 mg. Glycocyamine 25 mg. Glucuronolactone 40 mg."

LIBELED: 5-26-59, S. Dist. Calif.

CHARGE: 502(f)(1)—when shipped from New York, the labeling of the betaine hydrochloride component of the article failed to bear adequate directions for use.

DISPOSITION: 6-17-59. Default—destruction.

5869. Aloe leaves and Papaya Rica. (F.D.C. No. 42472. S. Nos. 55-861/2 P.)

INDICTMENT FILED: 7-2-59, W. Dist. Mo., against Lloyd C. Shanklin, t/a A-1 Harmony Health Foods and Juices, Kansas City, Mo.

ALLEGED VIOLATION: On 5-29-59, while quantities of *aloe leaves* and *Papaya Rica* were being held for sale by the defendant after shipment in interstate commerce, the defendant caused oral representations to be made regarding the purposes, conditions, and diseases for which the articles were intended; and also caused to accompany such articles, as labeling, a book entitled "Chemical Types of People and Their Foods," which acts resulted in the articles being misbranded.

CHARGE: 502(a)—the labeling of the articles, namely, the above-mentioned book, contained false and misleading representations that the *aloe leaves* were an adequate and effective treatment for stomach disorders, indigestion, gastritis, ulcers, piles and hemorrhoids, fistulas, tumors, cancer, kidney troubles, cataract, arthritis, external ulcers, stomach ulcers, colitis, diabetes, burns, bruises, sprains, boils, swelling of the joints, eczema, and athlete's foot, and that the *Papaya Rica* was an adequate and effective treatment for stomach disorders, indigestion, gastritis, ulcers, kidney troubles, stomach ulcers, colitis, and eczema; and 502(f)(1)—the labeling of the articles failed

to bear adequate directions for use for the purposes, conditions, and diseases for which they were intended, namely, (*aloe leaves*) as an adequate and effective treatment for X-ray burns, cancer, ulcers, piles, hemorrhoids, fistulas, and ivy poisoning, and (*Papaya Rica*) as an adequate and effective treatment for adding years to one's life, building up the heart, and for sleeping sickness, which were the purposes, conditions, and diseases for which the articles were held out orally by the defendant.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court and jury on 9-21-59, and was concluded on the same day with the return of a verdict of guilty. On 10-2-59, the defendant was sentenced to 2 years in prison.

5870. Vince Dentifrice. (F.D.C. No. 42519. S. No. 32-525 P.)

QUANTITY: 252 2-oz. cartoned btls. and 120 5-oz. cartoned btls. at New York, N.Y.

SHIPPED: 10-6-58, from Morris Plains, N.J., by Standard Laboratories, Inc.

LABEL IN PART: (Ctn.) "Vince For Both Teeth and Gums * * * Contains Sodium Borate Perhydrate, Calcium Phosphate Tribasic, Magnesium Trisilicate and Calcium Carbonate neutrally buffered with Sodium Aluminum Sulfate * * * Distributed by Standard Laboratories, Inc., Morris Plains, N.J. 46563," (btl.) "Vince Oxygenating Dentifrice * * * 110082 Distributed by Standard Laboratories, Inc., Morris Plains, N.J.," and (ctn. insert) "How the new, improved Vince keeps your mouth."

LIBELED: 12-12-58, S. Dist. N.Y.

CHARGE: 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for sore and bleeding gums, and for preventing trench mouth; 502(e)(2)—the article was a drug fabricated from two or more ingredients, and its label failed to list the active ingredient by its common or usual name, sodium perborate; and 502(f)(2)—the labeling of the article failed to warn that its use may cause irritation and inflammation of the gums, tongue, and mucous membranes of the mouth, and that use of the article should be discontinued at first sign of irritation or soreness, and that one should avoid swallowing the article.

DISPOSITION: 9-23-59. Default—destruction.

5871. Anterior pituitary and orchic solution. (F.D.C. No. 43115. S. No. 33-289 P.)

QUANTITY: 50 cartoned vials at Brooklyn, N.Y.

SHIPPED: 11-10-58, from Philadelphia, Pa., by Vitamix Corp.

LABEL IN PART: (Vial and ctn.) "Vitamix 30 cc. Multiple Dose Vial Orchic Anterior Pituitary Liquid * * * For intramuscular Use Only * * * Each 2 cc. contains the water soluble extraction of dried glands derived from: Orchic Substance, fresh gland . . . 10 gm. (155 grs.) Anterior Pituitary, Fresh gland . . . 1.12 gm. (18½ grs.) With Chlorobutanol (Chloral derivative) . . . 0.5% Contains no known hormonal therapeutic activity. Indications: Non-Specific Protein Therapy.

LIBELED: 5-5-59, E. Dist. N.Y.

CHARGE: 502(a)—when shipped, the label statement "Indications: Non-Specific Protein Therapy" was false and misleading as applied to an article